

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2018 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE GUADALUPE MARTINEZ,
aka "Peps Martinez,"
aka "Pepe Martinez,"
PAOLA SOTO, and
RANDAL BURT POWELL,
aka "Randy Powell,"

Defendants.

CR. No. 18-

I N D I C T M E N T

[21 U.S.C. § 846: Conspiracy to Possess With Intent to Distribute and to Distribute Controlled Substances; 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi): Possession With Intent to Distribute Fentanyl; 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii): Possession With Intent to Distribute Methamphetamine; 18 U.S.C. §§ 2(a), (b): Aiding and Abetting and Causing an Act to be Done]

CR18-00830-
AB

The Grand Jury charges:

COUNT ONE

[21 U.S.C. § 846]

A. OBJECTS OF THE CONSPIRACY

Beginning on or before February 1, 2018, and continuing until the present, in Los Angeles County, within the Central District of California, and elsewhere, defendant JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez" ("MARTINEZ"),

1 together with others known and unknown to the Grand Jury, conspired
2 and agreed with each other to knowingly and intentionally distribute,
3 and possess with intent to distribute, at least 400 grams of a
4 mixture and substance containing a detectable amount of N-phenyl-N-
5 [1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a
6 Schedule II narcotic drug controlled substance, in violation of Title
7 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(vi); and to
8 knowingly and intentionally distribute, and possess with intent to
9 distribute, at least 50 grams of methamphetamine, a Schedule II
10 controlled substance, in violation of Title 21, United States Code,
11 Sections 841(a)(1) and (b)(1)(A)(viii).

12 B. THE MANNER AND MEANS OF THE CONSPIRACY

13 The objects of the conspiracy were to be accomplished, in
14 substance, as follows:

15 1. Defendant MARTINEZ would agree to sell drugs, including
16 methamphetamine and fentanyl, to drug distributors.

17 2. Defendant MARTINEZ would obtain drugs.

18 3. Defendant MARTINEZ would agree to pay other co-conspirators
19 to transport drugs from Los Angeles via airplane and train.

20 4. Defendant MARTINEZ would purchase tickets for travel for
21 co-conspirators to transport drugs via airplane and train from Los
22 Angeles to drug distributors to whom defendant MARTINEZ had agreed to
23 sell drugs.

24 5. Defendant MARTINEZ and co-conspirators would transport
25 drugs from Los Angeles to drug distributors via airplane and train.

26 C. OVERT ACTS

27 In furtherance of the conspiracy and to accomplish its objects,
28 on or about the following dates, defendant MARTINEZ, and others known

1 and unknown to the Grand Jury, committed various overt acts in Los
2 Angeles County, within the Central District of California, and
3 elsewhere, including, but not limited to, the following:

4 Overt Act No. 1: On or about January 30, 2018, an unindicted
5 co-conspirator ("Co-Conspirator 1") agreed to pay another unindicted
6 co-conspirator ("Co-Conspirator 2") to transport drugs from Los
7 Angeles to Newark, New Jersey.

8 Overt Act No. 2: On or about February 1, 2018, defendant
9 MARTINEZ purchased an airline ticket for Co-Conspirator 2 to travel
10 from Los Angeles, California to Newark, New Jersey with a suitcase
11 containing approximately 792 grams of fentanyl.

12 Overt Act No. 3: On or about February 1, 2018, Co-
13 Conspirator 2 attempted to travel from Los Angeles, California to
14 Newark, New Jersey with the suitcase of fentanyl using the airline
15 ticket provided by defendant MARTINEZ.

16 Overt Act No. 4: On or about September 20, 2018, defendant
17 MARTINEZ purchased an airline ticket for himself to travel from Los
18 Angeles, California to Kansas City, Missouri on September 21, 2018.

19 Overt Act No. 5: On or about September 21, 2018, defendant
20 MARTINEZ traveled to Los Angeles International Airport and checked a
21 suitcase containing approximately 3,335 grams of methamphetamine for
22 his flight from Los Angeles, California to Kansas City, Missouri.

23 Overt Act No. 6: On or about October 31, 2018, defendant
24 MARTINEZ purchased two train tickets, one for himself and one for an
25 unindicted co-conspirator ("Co-Conspirator 3"), to transport a
26 suitcase of methamphetamine from Los Angeles, California to Topeka,
27 Kansas departing October 31, 2018.
28

1 Overt Act No. 7: On or about October 31, 2018, defendant
2 MARTINEZ and Co-Conspirator 3 went to Union Station in Los Angeles,
3 California and boarded a train for Co-Conspirator 3 to transport a
4 suitcase containing approximately 801.3 grams of methamphetamine from
5 Los Angeles, California to Topeka, Kansas.

COUNT TWO

[21 U.S.C. § 846]

A. OBJECTS OF THE CONSPIRACY

Beginning on or before June 27, 2018, and continuing until the present, in Los Angeles County, within the Central District of California, and elsewhere, defendants JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez" ("MARTINEZ"), PAOLA SOTO ("SOTO"), and RANDAL BURT POWELL, aka "Randy Powell" ("POWELL"), together with others known and unknown to the Grand Jury, conspired and agreed with each other to knowingly and intentionally distribute, and possess with intent to distribute, at least 50 grams of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(viii).

B. THE MANNER AND MEANS OF THE CONSPIRACY

The objects of the conspiracy were to be accomplished, in substance, as follows:

1. Defendant MARTINEZ would agree to sell methamphetamine to drug distributors such as defendant POWELL.

2. Defendant MARTINEZ would obtain methamphetamine in California.

3. Defendant SOTO would ship packages containing methamphetamine from Los Angeles to drug distributors.

4. Defendant POWELL would obtain methamphetamine from defendants MARTINEZ and SOTO to distribute to others.

C. OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, on or about the following dates, defendants MARTINEZ, SOTO, and

1 POWELL, and others known and unknown to the Grand Jury, committed
2 various overt acts in Los Angeles County, within the Central District
3 of California, and elsewhere, including, but not limited to, the
4 following:

5 Overt Act No. 1: On or about June 27, 2018, defendant SOTO
6 sent a package via Federal Express priority to an unindicted co-
7 conspirator ("Co-Conspirator 4") in Topeka, Kansas.

8 Overt Act No. 2: On or about June 28, 2018, defendant SOTO
9 sent defendant MARTINEZ a screenshot of a delivery confirmation from
10 Federal Express confirming that the package defendant SOTO sent on
11 June 27, 2018 had been delivered to Co-Conspirator 4 in Topeka,
12 Kansas on June 28, 2018.

13 Overt Act No. 3: On or about July 4, 2018, defendant MARTINEZ
14 negotiated the sale of drugs to a drug distributor in Topeka, Kansas
15 to be delivered July 6, 2018.

16 Overt Act No. 4: On or about July 5, 2018, defendant SOTO
17 shipped a package via Federal Express priority to a recipient in
18 Topeka, Kansas that was delivered on July 6, 2018.

19 Overt Act No. 5: On or about July 27, 2018, defendant
20 MARTINEZ sent a package via Federal Express priority to Co-
21 Conspirator 4 in Topeka, Kansas.

22 Overt Act No. 6: On or about September 4, 2018, defendants
23 POWELL and MARTINEZ agreed that defendant POWELL would purchase one
24 pound of methamphetamine for \$5,200 from defendant MARTINEZ.

25 Overt Act No. 7: On or about September 4, 2018, defendant
26 POWELL sent his mailing address to defendant MARTINEZ so that
27 defendant MARTINEZ could ship methamphetamine to defendant POWELL.
28

1 Overt Act No. 8: On or about September 7, 2018, defendant
2 MARTINEZ offered to pay defendant SOTO to send a package of drugs by
3 Federal Express.

4 Overt Act No. 9: On or about September 7, 2018, defendant
5 MARTINEZ provided defendant SOTO with a package containing
6 approximately 428 grams of methamphetamine to ship to defendant
7 POWELL for further distribution.

8 Overt Act No. 10: On or about September 7, 2018, defendant
9 SOTO took the package provided by defendant MARTINEZ containing
10 approximately 428 grams of methamphetamine to a Federal Express
11 facility in Los Angeles County and attempted to ship it to defendant
12 POWELL.

COUNT THREE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(vi); 18 U.S.C. §§ 2(a), (b)]

On or about February 1, 2018, in Los Angeles County, within the Central District of California, defendant JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez," and others known and unknown to the Grand Jury, each aiding and abetting the other, knowingly and intentionally possessed, and willfully caused to be possessed, with the intent to distribute at least 400 grams, that is, approximately 792 grams, of a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide ("fentanyl"), a Schedule II narcotic drug controlled substance.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii); 18 U.S.C. §§ 2(a), (b)]

On or about September 7, 2018, in Los Angeles County, within the Central District of California, defendants JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez," PAOLA SOTO, and RANDAL BURT POWELL, aka "Randy Powell" ("POWELL"), each aiding and abetting the others, knowingly and intentionally possessed, and willfully caused to be possessed, with the intent to distribute at least 50 grams, that is, approximately 428 grams, of methamphetamine, a Schedule II controlled substance.

COUNT FIVE

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii)]

On or about September 21, 2018, in Los Angeles County, within the Central District of California, defendant JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez," knowingly and intentionally possessed with intent to distribute at least 50 grams, that is, approximately 3,335 grams, of methamphetamine, a Schedule II controlled substance.

COUNT SIX

[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii); 18 U.S.C. §§ 2(a), (b)]

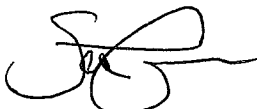
On or about October 31, 2018, in Los Angeles County, within the Central District of California, defendant JOSE GUADALUPE MARTINEZ, also known as ("aka") "Peps Martinez," aka "Pepe Martinez," and others known and unknown to the Grand Jury, each aiding and abetting the other, knowingly and intentionally possessed, and willfully caused to be possessed, with the intent to distribute at least 50 grams, that is, approximately 801.3 grams, of methamphetamine, a Schedule II controlled substance.

A TRUE BILL

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Foreperson

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